

**ORDINANCE NO. 20100311-056**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1405 AND 1409 MORGAN LANE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO NEIGHBORHOOD OFFICE-CONDITIONAL OVERLAY (NO-CO) COMBINING DISTRICT FOR TRACT ONE AND GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT FOR TRACT TWO.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence (SF-3) district to neighborhood office-conditional overlay (NO-CO) combining district on Tract One and to general office-conditional overlay (GO-CO) combining district on Tract Two, as described in Zoning Case No. C14-2010-0005, on file at the Planning and Development Review Department, as follows:

Lot One and Lot Two, Block A, Resubdivision of the east ½ of Lot 13, Bannister Heights Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 3, Page 256, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 1405 and 1409 Morgan Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Vehicular access from the Property to Morgan Lane is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
  
- B. A visual and sound buffer (the "Buffer Zone") shall be provided along the Morgan Lane right of way as follows:
  - 1. A sidewalk shall be constructed according to City of Austin standards along the entire frontage of the Property.

2. A vegetative landscaped buffer shall be provided beginning at the interior edge of the sidewalk and extending five feet into the Property. A six foot high fence will be installed at this point adjacent to the landscaped area and run its entire length.
3. Improvements permitted within the Buffer Zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

C. For the part of the Property identified as Tract One and zoned neighborhood office (NO), the following applies:

1. The maximum height of a building or structure is 25 feet from ground level.
2. The maximum height of a building or structure is one story.
3. The following uses are prohibited uses of the property:

Bed & breakfast (Group 1)	Bed & breakfast (Group 2)
Administrative & business offices	Art gallery
Art workshop	Professional office
Software development	Urban farm
Counseling services	Family home
Group home, Class I (general)	Group home, Class I (limited)
Local utility services	Safety services
Public primary educational facilities	Public secondary educational facilities

D. For the part of the Property identified as Tract Two and zoned general office (GO), the following applies:

The following uses are prohibited uses of the property:

Bed & breakfast (Group 1)	Bed & breakfast (Group 2)
Administrative & business offices	Art gallery
Art workshop	Business or trade school
Business support services	Communication services
Medical offices (exceeding 5000 s.f. gross floor area)	Medical office (not exceeding of gross floor area)

Personal services  
Professional office  
Urban farm  
Convalescent services  
Cultural services  
Group home, Class I (general)  
Group home, Class II  
Hospital services (limited)  
Public primary educational facilities  
Private secondary educational facilities  
Safety services

Printing & publishing  
Software development  
Congregate living  
Counseling services  
Family home  
Group home, Class I (limited)  
Guidance services  
Local utility services  
Public secondary educational facilities

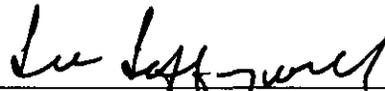
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on March 22, 2010.

**PASSED AND APPROVED**

March 11, 2010

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Lee Leffingwell  
Mayor

**APPROVED:**

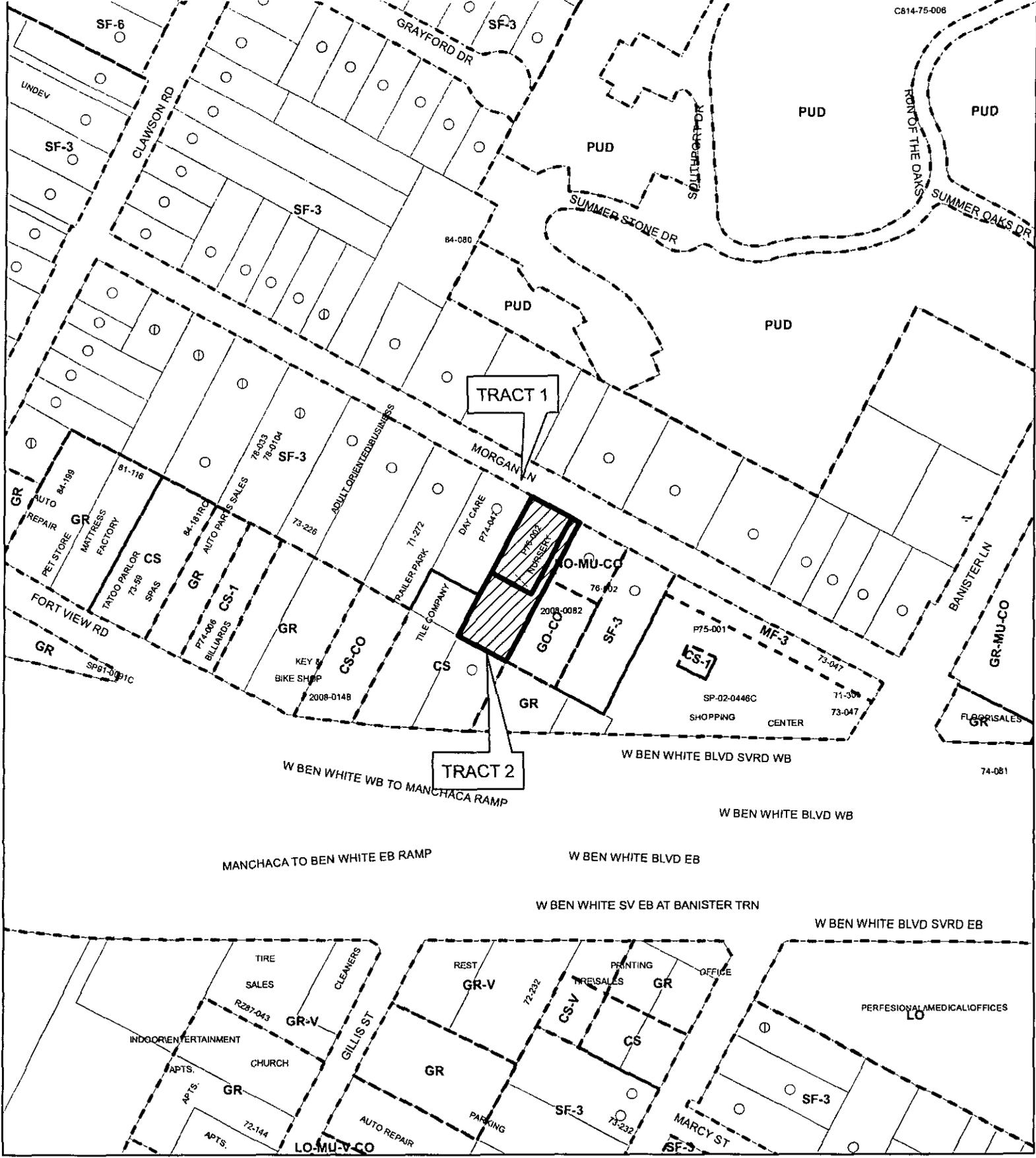


David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Gentry  
City Clerk



TRACT 1

TRACT 2

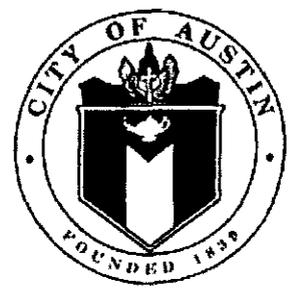


-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

OPERATOR: S. MEEKS

### ZONING EXHIBIT A

ZONING CASE#: C14-2010-0005  
 ADDRESS: 1405 & 1409 MORGAN ST  
 SUBJECT AREA: 0.000 ACRES  
 GRID: G19  
 MANAGER: S. RYE



1" = 200'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.